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TAGS: [AORC](#) [EAIR](#) [FAA](#) [PREL](#) [ICAO](#) [SF](#)
SUBJECT: SOUTH AFRICA SCRAMBLES TO AVOID CATEGORY II STATUS

Classified By: CDA Donald Teitelbaum for reasons 1.4 (b) and (d)

¶1. (C) Summary. Economic Counselor and Transportation Officer recently met with South African Civil Aviation Authority (SACAA) CEO Zakes Myeza and his team to discuss the FAA audit process. Myeza sought to find out what the potential "showstoppers" would be in terms of retaining Category I status. The results of the audit indicated deficiencies in six of eight areas. However, the lack of operations inspectors who are technically qualified for Airbus aircraft that fly to the U.S. and the confusion regarding ultimate responsibility for aviation safety are the two areas that put Category I status in the most jeopardy. Myeza stated that SACAA is currently taking steps to address these two areas. Officials at the Department of Transport are also looking to address deficiencies in an attempt to avoid a potential downgrade to Category II. End Summary.

Recent Audit

¶2. (C) The Federal Aviation Administration (FAA) completed the latest ICAO standards audit of the South African Civil Aviation Authority (SACAA) on August 3. Economic Counselor and Transportation Officer met with SACAA CEO Zakes Myeza, Assistant to the CEO Anton Richman, Senior Manager for Airworthiness and Certification Obert Chakarisa, and Senior Manager of the Legal Department Ntheri Magoai to discuss the FAA audit process on August 24. Myeza stated that his team had made some progress in addressing what they perceived as potential showstoppers in terms of retaining Category 1 status. Although the FAA audit revealed deficiencies in six out of eight areas, two areas were described as potential showstoppers. The first is the lack of qualified operations inspectors to inspect South African Airlines Airbus aircraft that fly to the U.S. The second issue is that SACAA has both a CEO and a Commissioner responsible for air safety and current aviation legislation does not clearly delineate who has the ultimate authority on safety issues. Furthermore, there are issues as to whether the Commissioner is fully independent from the Ministry of Transport and SACAA.

SAG Plans to Address the Potential Showstoppers

¶3. (C) Myeza stated that the SACAA has made progress in defining roles in the inspector process. CAA has a resident ICAO advisor who is conducting an audit procedures course and an aviation enforcement course and both classes have twenty or more students. The SACAA has recently issued regulations

clarifying the nine technical areas that require inspection and ongoing training will be provided with the goal of having at least one inspector qualified in each of the nine technical areas. Myeza has also prepared a proposal to address the Commissioner issue and plans to present it to the Minister of Transport. He plans to consult with FAA to ensure that his team is on the right track.

¶4. (C) Transportation Officer also met with Department of Transport (DOT) Director of Civil Aviation Levers Mabaso to discuss the FAA audit on August 31. Mabaso stated that the DOT is looking at the Commissioner issue and is considering short and long-term plans to satisfy ICAO standards. The short-term plan would be to take the Commissioner out of CAA and place his office at the DOT so that the Commissioner would be independent from the SACAA. The long-term plan requires changes to the current aviation legislation to make the Commissioner completely independent of both the DOT and the SACAA.

¶5. (C) Mabaso also mentioned a plan to address the issue of accident investigations. A recent ICAO audit revealed that South Africa does not have enough accident investigators to match the number of aircraft in operation. In addition, the accident investigation unit is currently under the jurisdiction of the SACAA CEO and that creates a potential conflict of interest. Mabaso stated that there is a skills deficit within South Africa for engineers and other trained personnel that can conduct accident investigations. DOT plans to bring the accident investigation unit to DOT and eventually make the unit independent with the power to act on recommendations provided by the investigators. Mabaso noted that transferring the unit to DOT has significant financial implications and so the plan will take time to implement. According to Mabaso, the SAG is looking to "not copy the West, but to copy the best" in terms of revising its aviation legislation and this search for the "best", along with other bureaucratic delays, may cost South Africa precious time.

A Decision is Imminent

¶6. (SBU) FAA is currently reviewing the August 3 audit and will be sending out a cable with the official results shortly. Once the official results are released, senior FAA officials will visit South Africa to discuss the results. SACAA will have 30 days from the date the report is delivered to respond. A final decision regarding a potential downgrade to Category II flight safety status is expected in the next few weeks.

Comment

¶7. (C) The South African Government is seeking to avoid a downgrade from Category I by implementing a series of plans to address deficiencies pointed out by the FAA audit. There are questions as to whether these plans can be implemented quickly enough and to the satisfaction of ICAO safety standards. The Embassy is continuing to support SAG in its efforts to meet ICAO flight safety standards. The Charge raised the potential downgrade with Deputy Foreign Minister Aziz Pahad on August 31 (Septel). Pahad took the news seriously and said he would raise the issue directly with Minister of Transport Radebe. End Comment.
Teitelbaum